REMARKS

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-9, 16-33 and 40-54 are pending. Claims 1-9, 16-33 and 40-54 stand rejected. In this response, claims 1, 16, 22, 28 and 40 have been amended. No new claims have been added. No claims have been canceled. Thus, claims 1-9, 16-33 and 40-54 remain pending. Support for the amendments can be found throughout the specifications as filed. No new matter has been added. Applicant reserves all rights with respect to the applicability of the Doctrine of Equivalents.

Rejections under 35 U.S.C. § 103(a)

Claims **1-9, 16-33 and 40-54**

Claims 1-9, 16-33 and 40-45 stand rejected under 35 U.S.C. §102(e) as being unpatentable over Foreman et al., US Patent No. 6,628303 B1 (hereinafter "Foreman"). Applicant hereby reserves the right to swear behind Foreman at a later date. However, Applicant respectfully submits that Applicant's claims 1-9, 16-33 and 40-54, as amended, are patentable over the cited reference.

Specifically, for example, independent claim 1, as amended, includes the limitations:

> "providing a user interface having functionality to display on a screen only a single graphical representation of a time line, the time line including a video time line and an audio time line overlapped with each other and synchronized in time, wherein the video time line is selectable via a video selection tab and the audio time line is selectable via an audio selection tab different than the video selection tab, wherein when the video selection tab is activated, the video time line is displayed without displaying the audio timeline, wherein when the audio selection tab is activated, the audio time line is displayed overlaying the video time line such that only the audio time line is displayed without showing the video time line while the audio and video time lines are still synchronized in time, wherein the single graphical representation of the video time line includes a plurality of references, each reference corresponding to a visual time based stream of information, each

reference including one of at least two types of edit features, each edit feature including a description, wherein at least two of the references are to be positioned in a presentation, wherein any time instant along the time line corresponds to at most one of the references positioned in the presentation, and wherein each reference is displayed in a form of a still image of a frame in the corresponding visual time based stream of information;

displaying the graphically represented single time line on the screen according to the user interface;

displaying a reference with an edit feature on the screen according to the user interface; and

dragging the reference over the graphically represented single time line to insert the edit feature into the presentation."

It is respectfully submitted that Foreman does not teach or suggest the limitations of a time line including a video time line and an audio time line to display a single graphical representation of the time line including a plurality of references, the video time line being selectable via a video selection tab, the audio time line being selectable via an audio selection tab, the video time line being displayed without displaying the audio time line, the audio time line being displayed without displaying the video time line, and each reference being displayed in a form of a still image of a frame in a corresponding visual time based stream of information.

Rather, Foreman discloses a graphical user interface for a computer-assisted motion video editing system that directs a user through a process of editing a video program (Foreman, Abstract). In Foreman, the interface for editing has a time line region including a representation of a time line and associated tracks (Foreman, col. 11, lines 7-10, Fig. 9). According to Foreman, a time line is a time-based representation of a composition, the horizontal dimension representing time and the vertical dimension representing the tracks of the composition, each track having a fixed row in the timeline occupied (Foreman, col. 11, lines 11-14). Additionally, Foreman states the time line having a scale which specifies how much time a certain number of pixels represents (Foreman, cols. 11, lines 25-27). However, Foreman does not teach or suggest a time line including a video time line and an audio time line to display a single graphical representation of the time line including a plurality of references, the video time line being selectable via a video selection tab, the audio time line being selectable via an audio selection tab, the video time line being displayed without displaying the audio time line, the audio time line being displayed without displaying the

video time line, and each reference being displayed in a form of a still image of a frame in a corresponding visual time based stream of information.

Furthermore, Foreman represents multiple tracks with a vertical dimension of a time line such as splitting a video track into three rows including the effect subtract, the video subtract and the audio subtract (Foreman, col. 11, lines 14-16). Clearly, an effect subtract, a video subtract and an audio subtract refer to different portions of a time based stream of information along the same time line. Therefore, Foreman uses multiple tracks to display a video time line together with a corresponding audio time line. As a result, Foreman teaches away from Applicant's claimed invention including the limitations of an video time line displayed without displaying an audio time line and an audio time line displayed without displaying a video time line.

Moreover, Foreman discloses a mechanism to increase and decrease a time scale along the time line based on number of pixels to allow a user to focus in on a particular location in a composition or to have more of an overview of a composition (Foreman, col. 11, lines 24-31). Thus, it is not logically possible in Foreman to display a time line based on a form of a still image of a frame. Therefore, Foreman also teaches away from Applicant's claimed invention including the limitation of a single graphical representation of a time line including a plurality of references, each reference being displayed in a form of a still image of a frame in a corresponding visual time based stream of information.

In order to render a claim obvious, each and every limitation of the claim must be taught by the cited references. Therefore, in view of the foregoing remarks, it is respectfully submitted that independent claim 1, as amended, is patentable over Foreman.

Independent claims 10, 22, 28 and 40, as amended, include similar limitations as noted above. Therefore, for at least the similar reasons as discussed above, it is respectfully submitted that claims 10, 22, 28 and 40, as amended, are not anticipated by Foreman.

Given that claims 2-9, 17-21, 23-27, 29-33 and 41-54, as amended, depend from and include all limitations of one of independent claims 1, 16, 22, 28 and 40, as amended, applicant respectfully submits that claims 2-9, 17-21, 23-27, 29-33 and 41-54, as amended, are not anticipated by Forman.
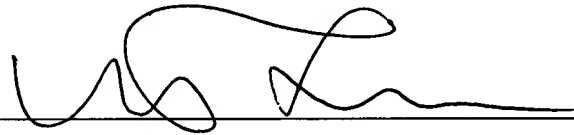
CONCLUSION

In view of the foregoing, applicant respectfully submits the applicable rejections and objections have been overcome.

Authorization is hereby given to charge our Deposit Account No. 02 2666 for any charges that may be due. Furthermore, if an extension is required, then applicants hereby request such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

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